

Introduced by

1 A BILL for an Act to reenact portions of Senate Bill No. 2015, as approved by the sixty-eighth  
2 legislative assembly, to amend and reenact subsection 2 of the new section to chapter 19-03.1,  
3 as created by section 1 of Senate Bill No. 2248, as approved by the sixty-eighth legislative  
4 assembly, relating to a special penalty for death or injury through distribution of illegal drugs; to  
5 provide a penalty; to provide for retroactive application; and to provide an effective date.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. REENACTMENT.** The portion of Senate Bill No. 2015, as approved by the  
8 sixty-eighth legislative assembly, and published in section 29 of chapter 47 of the 2023 Session  
9 Laws, is reenacted as follows:

10 **SECTION 29. AMENDMENT.** Subsection 2 of the new section to chapter 19-03.1  
11 of the North Dakota Century Code, as created by section 1 of Senate Bill No. 2248, as  
12 approved by the sixty-eighth legislative assembly, is amended and reenacted as  
13 follows:

14 2. An individual is guilty of causing death or injury by distributing a controlled  
15 substance if the individual willfully delivers a controlled substance, or supplies  
16 another to deliver or consume a controlled substance, and an individual dies or is  
17 injured from overdosing after consuming a portion of that controlled substance.

18 a. A violation of this section is a class A felony.

19 b. This section does not limit a conviction under chapter 12.1-16, but an  
20 individual may not be found guilty of this section and an offense under  
21 chapter 12.1-16 if the conduct arises out of the same course of conduct.

22 **SECTION 2. RETROACTIVE APPLICATION.** This Act applies retroactively to conduct  
23 occurring after July 31, 2023.

- 1       **SECTION 3. EFFECTIVE DATE.** This Act becomes effective immediately upon its filing with
- 2   the secretary of state.